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UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

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DURAND HENRY SABERI,

Plaintiff,

-against-

SEBASTIAN LONDONO CORREA,

Defendant.
-----X

24-CV-5276 (VEC)

ORDER

VALERIE CAPRONI, United States District Judge:

WHEREAS on November 15, 2024, the Court entered Default Judgment in favor of Plaintiff and awarded Plaintiff \$83,358.35 in damages, *see* Dkt. 29;

WHEREAS the Court also awarded Plaintiff attorneys' fees and costs incurred in connection with filing this lawsuit and the Default Judgment motion, *id.*;

WHEREAS on November 19, 2024, Plaintiff submitted a motion for attorneys' fees, costs, and expenses totaling \$26,098.35 and reflecting 55.6 hours of work expended, Dkt. 30 ¶ 9;

WHEREAS "[i]n ruling on applications for fees, district courts must examine the hours expended by counsel and the value of the work product of the particular expenditures to the client's case," *DiFilippo v. Morizio*, 759 F.2d 231, 235 (2d Cir. 1985), and the Court has discretion to deduct a reasonable percentage of the number of hours claimed where the hours are "excessive, redundant, or otherwise unnecessary," *Kirsch v. Fleet St., Ltd.*, 148 F.3d 149, 173 (2d Cir. 1998) (citation and internal quotation marks omitted);

WHEREAS Plaintiff has submitted an invoice dated July 31, 2024, that reflects double billing for service of the pleadings, amounting to \$336 more than should have been charged, Dkt. 30-2 at 3;

WHEREAS Plaintiff has submitted invoices dated September 30, 2024, and October 31, 2024, reflecting 28.2 hours of time spent by counsel on the Default Judgment motion, totaling \$13,095.00 in fees, *id.* at 5–8;

WHEREAS certain entries, such as the preparation of exhibits to the Default Judgment motion and filing, do not need to be done by an attorney, and the time spent overall by counsel in drafting this motion is excessive, *cf. Sun Yeul Hong v. Mommy's Jamaican Mkt. Corp.*, No. 20-CV-9612 (LJL), 2022 WL 1488170, at *2 (S.D.N.Y. May 11, 2022) (19.8 hours spent on default judgment motion considered appropriate);

WHEREAS the Court has discretion to deduct a reasonable amount from the number of hours claimed where such hours are excessive; and

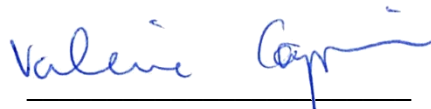
WHEREAS the Court deducts eight hours from the total time spent on the Default Judgment motion at Mr. Rothman's rate of \$450 per hour, for a total deduction of \$3,600.00;

IT IS HEREBY ORDERED that Plaintiff's application for attorneys' fees is GRANTED IN PART. The Court deducts \$3,936.00 from the claimed attorneys' fees and awards Plaintiff \$22,162.35 in attorneys' fees, costs, and expenses.

IT IS FURTHER ORDERED that the Clerk of Court is respectfully directed to close this case.

SO ORDERED.

Date: December 6, 2024
New York, New York



VALERIE CAPRONI
United States District Judge